

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MELANIE A. KLINGENSMITH,	)	
individually and on behalf of all others	)	Civil Action No. 07-1065
similarly situated,	)	
	)	CLASS ACTION
Plaintiff,	)	
	)	
v.	)	JURY TRIAL DEMANDED
	)	
BP PRODUCTS NORTH AMERICA,	)	Electronically Filed
INC., and DOES 1 through 10, inclusive,	)	
	)	
Defendants.	)	

**STIPULATION AND ORDER  
EXTENDING TIME TO RESPOND TO COMPLAINT**

Plaintiff, Melanie A. Klingensmith, and defendant, BP Products North America, Inc. ("BP"), by and through their undersigned counsel, hereby stipulate and agree as follows:

**RECITALS**

1. Pursuant to the Stipulation Accepting Service And Extending Time To Respond To Complaint filed on October 5, 2007, BP accepted service on September 26, 2007, and the time within which BP may answer, move, or otherwise respond to plaintiff's Complaint was extended to and including November 15, 2007.

2. Counsel for the parties are presently discussing whether to seek amicable resolution of the claims at issue through mediation. The parties are seriously considering entering into mediation but will be unable to reach a final decision before November 15, 2007, when BP's response to the Complaint is due.

3. Accordingly, the parties jointly seek a 30-day extension, to and including December 17, 2007, for BP to answer, move, or otherwise respond to the Complaint.

4. If the parties agree to engage in mediation, they shall inform the Court promptly and will likely seek a stay of proceedings in this matter until the resolution of the mediation process.

**AGREEMENT**

1. It is hereby STIPULATED AND AGREED, subject to the approval of the Court, that defendant, BP shall have until December 17, 2007 to answer, move, or otherwise respond to the Complaint.
2. If the parties agree to engage in mediation, they shall inform the Court promptly.

/s/ R. Bruce Carlson

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Attorneys for Defendant  
BP Products North America, Inc.

BY THE COURT:  


Gary L. Lancaster  
United States District Judge

DATE: 11-9-07